



Schwegman ■ Lundberg ■ Woessner ■ Kluth

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: SOFTWARE-BASED FAULT-TOLERANT NETWORKING USING A SINGLE LAN.

The specification of which was filed on December 29, 2000 as application serial no. 09/751,945.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number 09/513,010

Filing Date February 25, 2000 Status **Pending**

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F-239

Automory Docket No.: H16-26156 CIP1 (256.078US1) Serial No. 09/751.945 Filing Date: Documber 29, 2000

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

THE DEPTHANCE OF THE A					
Anglin, J. Michael Arora, Suncol Beekmaa, Marvin L. Bimchi, Timothy S. Pillica, Richard E. Black, David W. Breman, Leminote M. Bransan, Lonnas F. Brooks, Edward J., III Chadwick, Robin A. Clark, Barbara J. Clist, Timothy B. Dabi, John M. Drake, Edwardo E. Embretson, Janet H. Forrest, Bradley A. Gamon, Owen J. Gartych, Joseph B. Grouved, John N. Flaack, John N. Flaack, John N. Flaack, John L. Harris, Robert J.	Rcg. No. 24,916 Rog. No. 32,267 Rcg. No. 38,377 Rcg. No. 39,610 Reg. No. 32,836 Rcg. No. 35,832 Rog. No. 35,832 Rog. No. 35,075 Rsg. No. 36,477 Rcg. No. 36,477 Rcg. No. 36,477 Rcg. No. 40,925 Rcg. No. 40,937 Rcg. No. 40,594 Rcg. No. 40,594 Rcg. No. 39,663 Rcg. No. 39,663 Rcg. No. 36,887 Rcg. No. 36,184 Rcg. No. 36,187 Rcg. No. 36,187 Rcg. No. 36,187 Rcg. No. 36,184	Mill, Similey K. Jackson Hunbuch, Kathariac A. Judawich, Pami J. Kalis, Janel M. Khina-Silberg, Catherine I. Kluth, Daniel J. Leny, Rodney L. Lemaire, Charles A. LeMoine, Danie B. Lundberg, Steven W. Maki, Peter C. Malen, Peter L. Mates, Robert B. McCrackin, Ann M. McTavish, Hugh F. Mahrle, Joseph P. Monra, Kash Nelson, Albin J.	Rec. No. 37,548 Rej. No. 47,670 Reg. No. 44,813 Ref. No. 44,813 Ref. No. 37,650 Reg. No. 32,146 Ref. No. 32,146 Ref. No. 32,146 Ref. No. 36,198 Reg. No. 36,198 Reg. No. 36,568 Reg. No. 40,662 Reg. No. 42,858 Reg. No. 44,894 Ref. No. 35,271 Ros. No. 42,858 Rog. No. 9-48,241 Ref. No. 35,341 Ref. No. 33,742 Ref. No. 33,742 Ref. No. 37,509 Ref. No. 44,255 Ref. No. 28,650	Nicholzon, Lea A. Nichzen, Walter W. Padys, Danny J. Padser, J. Kevin Perdice, M. Kevin Perdice Monique M. Perer, Androw R. Peterson, David C. Prout, William F. Schwegman, Michael L. Scott, John C. Smith, Michael G. Speier, Gary J. Steffey, Charles B. Sterfey, Charles B. Sterfey, Charles B. Sterfey, Charles R. Teng, Viez V. Vilesnins, Am S. Wossener, Warten D. Shudy, John G. Sr.	Reg. No. P-48-34 Reg. No. 25,539 Reg. No. 35,635 Reg. No. 33,024 Reg. No. 41,246 Reg. No. 41,246 Reg. No. 47,837 Reg. No. 33,995 Reg. No. 39,422 Reg. No. 25,816 Reg. No. 25,816 Reg. No. 45,368 Reg. No. 45,458 Reg. No. 45,458 Reg. No. 25,179 Reg. No. 46,251 Reg. No. 46,251 Reg. No. 31,884 Reg. No. 31,884 Reg. No. 31,748 Reg. No. 31,748 Reg. No. 31,214

I bereby authorize them to act and rely on instructions from and communicate directly with the person/assignse/attorney/ furn/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosu to be represented unless/until 1 instruct Honeywell International Inc. and/or Schwogman, Laundberg, Wossener & Kluth, P.A. to the contrar

Please direct all correspondence in this case to Honeywell International Inc. at the address indicated below:

Law Dept. AB2

P.O. Box 2245, Morristown, NJ 07962-9806

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

Customer Number: 00128

made are punishable by fine of statements may jeopardize the	or imprisonment, or both, under Section available of the application or any pare	n 1001 of Title 18 of the United States Code and that such willful false are issued thercon.
Full Name of joint inventor n Chizenship: Post Office Address:	umber 1: <u>Jiandong Huang</u> United States of America 14.4365 Junear Land 4103 (of to, 14. Plymouth, MAI 55446 San Jos	T.W. Residence: Phymoath. MIN San Jose, CA na Court se, CA 95135
Signanure: <u>Juan</u> Ji	andong Huang	
Full Name of joint inventor n Citizenship: Post Office Address:	Republic of Korea 1026 27th Ave SE Apt. P Minneapolis, MN 55414	Residence: Minneapolis, MN
Signature:	oiun Sone	Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

Serial No. 09/751,945

Filing Date: December 29, 2000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inven Citizenship: Post Office Address:	tor number 3: Tony John Kozlik United States of America 2936 W. Morrow Drive Phoenix, AZ 85027	Residence: Phoenix, AZ	
Signature:	Tony John Kozlik	Date:	
Full Name of joint inven Citizenship: Post Office Address:	tor number 4: Ronald J. Freimark United States of America 13014 N. 62nd Street Scottsdale, AZ 85254	Residence: Scottsdale, AZ	
Signature:	Ronald J. Freimark	Date:	
Full Name of joint inven Citizenship: Post Office Address:	utor number 5: <u>Jay W. Gustin</u> United States of America 6226 E. Joan De Arc Avenue Scottsdale, AZ 85254	Residence: Scottsdale, AZ	-
Signature:	Jay W. Gustin	Date:	
Full Name of joint inven Citizenship: Post Office Address:	tor number 6: Christopher Lunemann United States of America 159 Blackberry Lane Carbon, PA 18229	Residence: Carbon, PA	_
Signature:	Christopher Lunemann	Date:	
	om otopher Danoman		_

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

Serial No. 09/751,945

Filing Date: December 29, 2000

Full Name of joint invente Citizenship:	or number 7: <u>Laurence Arthur Clawson</u> United States of America	Residence: Cave Creek, AZ	
Post Office Address:	37620 North Hidden Valley Drive Cave Creek, AZ 85327	Residence. Cave Citte, AL	
Signature:	Laurence Arthur Clawson	Date:	
Full Name of joint invente Citizenship: Post Office Address:	or number 8: John M. Dahl United States of America 2236 Springbrook Court Grand Forks, ND 58201	Residence: Grand Forks, ND	_
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:	John M. Dahl	Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

Attorney Docket No.: H16-26156 CIP1 (256.078US1) Serial No. 09/751,945

Filing Date: December 29, 2000

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



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Application Number 09/513,010

Filing Date February 25, 2000 Status Pending



Serial No. 09/751,945

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I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Hill, Stanley K.	Reg. No. 37,548	Nicholson, Lea A.	Reg. No. P-48-34
Arora, Suneel	Reg. No. 42,267	Jackson Huebsch, Katharine A.	Reg. No. 47,670	Nielsen, Walter W.	Reg. No. 25,539
Beekman, Marvin L.	Reg. No. 38,377	Jurkovich, Patti J.	Reg. No. 44,813	Padys, Danny J.	Reg. No. 35,635
Bianchi, Timothy E.	Reg. No. 39,610	Kalis, Janal M.	Reg. No. 37,650	Parker, J. Kevin	Reg. No. 33,024
Billion, Richard E.	Reg. No. 32,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Perdok, Monique M.	Reg. No. 42,989
Black, David W.	Reg. No. 42,331	Kluth, Daniel J.	Reg. No. 32,146	Peret, Andrew R.	Reg. No. 41,246
Brennan, Leoniede M.	Reg. No. 35,832	Lacy, Rodney L.	Reg. No. 41,136	Peterson, David C.	Reg. No. 47,857
Brennan, Thomas F.	Reg. No. 35,075	Lemaire, Charles A.	Reg. No. 36,198	Prout, William F.	Reg. No. 33,995
Brooks, Edward J., III	Reg. No. 40,925	LeMoine, Dana B.	Reg. No. 40,062	Schumm, Sherry W.	Reg. No. 39,422
Chadwick, Robin A.	Reg. No. 36,477	Lundberg, Steven W.	Reg. No. 30,568	Schwegman, Micheal L.	Reg. No. 25,816
Clark, Barbara J.	Reg. No. 38,107	Maki, Peter C.	Reg. No. 42,832	Scott, John C.	Reg. No. 38,613
Clise, Timothy B.	Reg. No. 40,957	Malen, Peter L.	Reg. No. 44,894	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Mates, Robert E.	Reg. No. 35,271	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	McCrackin, Ann M.	Reg. No. 42,858	Steffey, Charles E.	Reg. No. 25,179
Embretson, Janet E.	Reg. No. 39,665	McTavish, Hugh E.	Reg. No. P-48,341	Stordal, Leif T.	Reg. No. 46,251
Forrest, Bradley A.	Reg. No. 30,837	Mehrle, Joseph P.	Reg. No. 45,535	Terry, Kathleen R.	Reg. No. 31,884
Gamon, Owen J.	Reg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 33,742	Tong, Viet V.	Reg. No. 45,416
Gortych, Joseph E.	Reg. No. 41,791	Muller, Mark V.	Reg. No. 37,509	Viksnins, Ann S.	Reg. No. 37,748
Greaves, John N.	Reg. No. 40,362	Nama, Kash	Reg. No. 44,255	Woessner, Warren D.	Reg. No. 30,440
Haack, John L.	Reg. No. 36,154	Nelson, Albin J.	Reg. No. 28,650	Shudy, John G. Sr.	Reg. No. 31,214
Harris, Robert J.	Reg. No. 37,346				

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/ firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosu to be represented unless/until I instruct Honeywell International Inc. and/or Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrar

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Law Dept. AB2

P.O. Box 2245, Morristown, NJ 07962-9806

Customer Number: 00128

Citizenship: Post Office Address:	United States of America 4365 Juneau Lane Plymouth, MN 55446	Residence: Plymouth, MN	
Signature:		Date:	
	Jiandong Huang		
Full Name of joint inventor			
Citizenship:	Republic of Korea	Residence: Minneapolis, MN	
Post Office Address:	1026 27th Ave SE		
	Apt. F		
	_Minneapolis, MN 55414		
Signature:	5 - In	Date: Sep 10 2001	
•	Sejun Song		

Serial No. 09/751,945

Filing Date: December 29, 2000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Signature:	Tony John Kozlik	Date:	
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Signature:	Jay W. Gustin	Date:	
Full Name of joint inver Citizenship: Post Office Address:	ntor number 6: Christopher Lunemann United States of America 159 Blackberry Lane Carbon, PA 18229	Residence: Carbon, PA	
Signature:	Christopher Lunemann	Date:	

X Additional inventors are being named on separately numbered sheets, attached hereto.

Sérial No. 09/751,945

Filing Date: December 29, 2000

Full Name of joint invent	or number 7: Laurence Arthur Clawson		
Citizenship: Post Office Address:	United States of America 37620 North Hidden Valley Drive Cave Creek, AZ 85327	Residence: Cave Creek, AZ	
Signature:	Laurence Arthur Clawson	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 8 : <u>John M. Dahl</u> United States of America 2236 Springbrook Court Grand Forks, ND 58201	Residence: Grand Forks, ND	_
Signature:	John M. Dahl	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
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 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for whic a patent is sought on the invention entitled: **SOFTWARE-BASED FAULT-TOLERANT NETWORKING** USING A SINGLE LAN.

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Page 2 or o

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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorncy/ firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosu to be represented unless/until I instruct Honeywell International Inc. and/or Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrar

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Law Dept. AB2

P.O. Box 2245, Morristown, NJ 07962-9806

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Full Name of joint inventor nu Citizenship: Post Office Address:	mber 1: <u>Jiandong Huang</u> United States of America 4365 Juneau Lane Plymouth, MN 55446	Residence: Plymouth, MN	
Signature:		Date:	
Full Name of joint inventor nu Citizenship: Post Office Address:	mber 2: Sejun Song Republic of Korea 1026 27th Ave SE Apt. F Minneapolis, MN 55414	Residence: Minneapolis, MN	
Signature:		Date:	
	jun Song		

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Page 3 of 5

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Full Name of joint invento. Citizenship: Post Office Address:	United States of America 2936 W. Morrow Drive	Residence: Phoenix, AZ	
Signature:	Phoenix, AZ 85027 My John Kozlik Fony John Kozlik	Date:9/4/01	
Full Name of joint invento Citizenship: Post Office Address:	United States of America 13014 N. 62pd Street	Residence: Scottsdale, AZ	
Signature:	Scottsdale, AZ 85754 Consult J. Framark Ronald J. Framark	Date: 8-30-	@ /
Full Name of joint inventor Citizenship: Post Office Address:	or number 5: <u>Jay W. Gustin</u> United States of America 6226 E. Joan De Arc Avenue Scottsdale, AZ 85254	Residence: Scottsdale, AZ	
Signature:	Jay W. Gustin	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 6: <u>Christopher Lunemann</u> United States of America 159 Blackberry Lane Carbon, PA 18229	Residence: Carbon, PA	
Signature:	Christopher Lunemann	Date:	
		· · · · · · · · · · · · · · · · · · ·	

X Additional inventors are being named on separately numbered sheets, attached hereto.



Schwegman ■ Lundberg ■ Woessner ■ Kluth

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for whic a patent is sought on the invention entitled: **SOFTWARE-BASED FAULT-TOLERANT NETWORKING USING A SINGLE LAN**.

The specification of which was filed on <u>December 29, 2000</u> as application serial no. <u>09/751,945</u>.

I hereby state that I have reviewed and understand the contents of the above-identified specification, includin the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) f patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

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Application Number 09/513,010

Filing Date February 25, 2000 Status Pending

Serial No. 09/751,945

Filing Date: December 29, 2000

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Arora, Suneel	Reg. No. 24,916 Reg. No. 42,267	Hill, Stanley K. Jackson Huebsch, Katharine A.	Reg. No. 37,548 Reg. No. 47,670	Nicholson, Lea A. Nielsen, Walter W.	Reg. No. P-48-34 Reg. No. 25,539
Beekman, Marvin L.	Reg. No. 38,377	Jurkovich, Patti J.	Reg. No. 44,813	Padys, Danny J.	Reg. No. 35,635
Bianchi, Timothy E.	Reg. No. 39,610	Kalis, Janal M.	Reg. No. 37,650	Parker, J. Kevin	Reg. No. 33,024
Billion, Richard E.	Reg. No. 32,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Perdok, Monique M.	Reg. No. 42,989
Black, David W.	Reg. No. 42,331	Kluth, Daniel J.	Reg. No. 32,146	Peret, Andrew R.	Reg. No. 41,246
Brennan, Leoniede M.	Reg. No. 35,832	Lacy, Rodney L.	Reg. No. 41,136	Peterson, David C.	Reg. No. 47,857
Brennan, Thomas F.	Reg. No. 35,075	Lemaire, Charles A.	Reg. No. 36,198	Prout, William F.	Reg. No. 33,995
Brooks, Edward J., III	Reg. No. 40,925	LeMoine, Dana B.	Reg. No. 40,062	Schumm, Sherry W.	Reg. No. 39,422
Chadwick, Robin A.	Reg. No. 36,477	Lundberg, Steven W.	Reg. No. 30,568	Schwegman, Micheal L.	Reg. No. 25,816
Clark, Barbara J.	Reg. No. 38,107	Maki, Peter C.	Reg. No. 42,832	Scott, John C.	Reg. No. 38,613
Clise, Timothy B.	Reg. No. 40,957	Malen, Peter L.	Reg. No. 44,894	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Mates, Robert E.	Reg. No. 35,271	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	McCrackin, Ann M.	Reg. No. 42,858	Steffey, Charles E.	Reg. No. 25,179
Embretson, Janet E.	Reg. No. 39,665	McTavish, Hugh E.	Reg. No. P-48,341	Stordal, Leif T.	Reg. No. 46,251
Forrest, Bradley A.	Reg. No. 30,837	Mehrle, Joseph P.	Reg. No. 45,535	Terry, Kathleen R.	Reg. No. 31,884
Gamon, Owen J.	Reg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 33,742	Tong, Viet V.	Reg. No. 45,416
Gortych, Joseph E.	Reg. No. 41,791	Muller, Mark V.	Reg. No. 37,509	Viksnins, Ann S.	Reg. No. 37,748
Greaves, John N.	Reg. No. 40,362	Nama, Kash	Reg. No. 44,255	Woessner, Warren D.	Reg. No. 30,440
Haack, John L.	Reg. No. 36,154	Nelson, Albin J.	Reg. No. 28,650	Shudy, John G. Sr.	Reg. No. 31,214
Harris, Robert J.	Reg. No. 37,346				

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosu to be represented unless/until I instruct Honeywell International Inc. and/or Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrar

Please direct all correspondence in this case to Honeywell International Inc. at the address indicated below:

Law Dept. AB2

P.O. Box 2245, Morristown, NJ 07962-9806

Customer Number: 00128

Full Name of joint inventor Citizenship: Post Office Address:	number 1: <u>Jiandong Huang</u> United States of America 4365 Juneau Lane Plymouth, MN 55446	Residence: Plymouth, MN	
Signature:	Jiandong Huang	Date:	
Full Name of joint inventor Citizenship: Post Office Address:		Residence: Minneapolis, MN	
Signature:	Sejun Song	Date:	

Serial No. 09/751,945

Signature:

Filing Date: December 29, 2000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 3: Tony John Kozlik Citizenship: **United States of America** Residence: Phoenix, AZ Post Office Address: 2936 W. Morrow Drive Phoenix, AZ 85027 Signature: Date: Tony John Kozlik Full Name of joint inventor number 4: Ronald J. Freimark Citizenship: **United States of America** Residence: Scottsdale, AZ Post Office Address: 13014 N. 62nd Street Scottsdale, AZ 85254 Signature: Date: Ronald J. Freimark Full Name of joint inventor number 5: Jay W. Gustin **United States of America** Residence: Scottsdale, AZ Citizenship: Post Office Address: 6226 E. Joan De Arc Avenue Scottsdale, AZ 85254 Signature: Date: Jay W. Gustin Full Name of joint inventor number 6: Christopher Lunemann Citizenship: United States of America Residence: Carbon, PA Post Office Address: 159 Blackberry Lane Carbon, PA 18229

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

Christopher Lunemann

Serial No. 09/751,945

Filing Date: December 29, 2000

Full Name of joint invent	or number 7: Laurence Arthur Clawson		
Citizenship: Post Office Address:	United States of America 37620 North Hidden Valley Drive Cave Creek, AZ 85327	Residence: Cave Creek, AZ	
Signature:	Laurence Arthur Clawson	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 8: <u>John M. Dahl</u> United States of America 2236 Springbrook Court Grand Forks, ND 58201	Residence: Grand Forks, ND	
Signature:	John M. Dahl	Date: <u>Bry. 24, 24</u>	20 /
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	····
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

Serial No. 09/751,945

Filing Date: December 29, 2000

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancele or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancel or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) a 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associate with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Page 4 of 5

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Attorney Docket No.: H16-26156 CIP1 (256.078US1)

Serial No. 09/751,945

Filing Date: December 29, 2000

Full Name of joint invento Citizenship: Post Office Address: Signature:	United States of America 37620 North Hidden Valley Drive Cave Creek, AZ 85327	Residence: Cave Creek, AZ Date:	
Full Name of joint inventor Citizenship: Post Office Address:	Dr number 8: John M. Dahl United States of America 2236 Springbrook Court Grand Forks, ND 58201	Residence: Grand Forks, ND	
Signature:	John M. Dahl	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	•
Signature:		Date:	

Page 5 of 5

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- Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, (d) agent, or inventor.





SCHWEGMAN . LUNDBERG . WOESSNER KLUTH

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for whic a patent is sought on the invention entitled: <u>SOFTWARE-BASED FAULT-TOLERANT NETWORKING</u> USING A SINGLE LAN.

The specification of which was filed on <u>December 29, 2000</u> as application serial no. <u>09/751.945</u>.

I hereby state that I have reviewed and understand the contents of the above-identified specification, includin the claims, as amended by any amendment referred to above.

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I hereby claim foreign priority benefits under 35 U.S.C. §1'19(a)-(d) or 365(b) of any foreign application(s) f patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

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Application Number 09/513,010

Filing Date

Status Pending

February 25, 2000

2003/012

Attorney Docket No.: H16-26156 CIP1 (256.078US1)

Serial No. 09/751,945

Filing Date: December 29, 2000

Page 2 of 5

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/
firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosu
to be represented unless/until I instruct Honeywell International Inc. and/or Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrar

Please direct all correspondence in this case to Honeywell International Inc. at the address indicated below:

Law Dept. AB2

P.O. Box 2245, Morristown, NJ 07962-9806

Customer Number: 00128

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereor.

Full Name of joint inventor nu Citizenship: Post Office Address:	mber 1: <u>Jiandong Huang</u> United States of America 4365 Juneau Lane Plymouth, MN 55446	Residence: Plymouth, MN	
Signature:		Date:	
Jia:	ndong Huang		
Full Name of joint inventor nu			
Citizenship: Post Office Address:	Republic of Korea 1026 27th Ave SE	Residence: Minneapolis, MN	
rost Office Address.	Apt. F		
	Minneapolis, MN 55414		
Signature:		Date:	·
	un Song		

X Additional inventors are being named on separately numbered sheets, attached hereto.

Scrial No. 09/751,945

Filing Date: December 29, 2000

Page 3 of 5

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Signature:	Tony John Kozlik	Date:
Full Name of joint inver Citizenship: Post Office Address:	tor number 4: Ronald J. Freimark United States of America 13014 N. 62nd Street Scottsdale, AZ 85254	Residence: Scottsdale, AZ
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Full Name of joint inver Citizenship: Post Office Address:	utor number 5: <u>Jav W. Gustin</u> United States of America 6226 E. Joan De Arc Avenue Scottsdale, AZ 85254	Residence: Scottsdale, AZ
Signature:	Jay W. Gustin	Date: aug 27, 2001
Full Name of joint invertigenship: Post Office Address:	utor number 6: <u>Christopher Lunemann</u> United States of America 159 Blackberry Lane Carbon, PA 18229	Residence: Carbon, PA
Signature:	Christopher Lunemann	Date:
		· · · · · · · · · · · · · · · · · · ·

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<u>щ</u> 00.

Attorney Docket No.: H16-26156 CIP1 (256,078US1)

Serial No. 09/751,945

Filing Date: December 29, 2000

Page 4 of 5

Citizenship:	United States of America	Residence: Cave Creek, AZ	
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Signature:		Date:	<u> </u>
,	Laurence Arthur Clawson		
Full Name of joint invent Citizenship: Post Office Address:	or number 8: John M. Dahl United States of America 2236 Springbrook Court Grand Forks, ND 58201	Residence: Grand Forks, ND	
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Full Name of inventor:	John M. Dahl		
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Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	÷
Signature:		Date:	

Page 5 of 5

Attorney Docket No.: H16-26156 CIP1 (256.078US1) Serial No. 09/751,945

Filing Date: December 29, 2000

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SCHWEGMAN # LUNDBERG # WOESSNER # KLUTH

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Application Number 09/513,010

Filing Date February 25, 2000

Status Pending

Page 2 of 5

08/27/01 15:53 FAX 6123393061

SCHWEGHAN, LUNDBERG, WOES



Attorney Docket No.: H16-26156 CIP1 (256.078US1) Serial No. 09/751,945

Full Name of joint inventor number 1 .

Filing Date: December 29, 2000

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

	B 33 64616	***** 4. 1 **	D 31 37640	NO S. Leve T. L. A.	0 > - 0 49 34
Anglin, J. Michael	Rcg. No. 24,916	Hill, Stanley K.	Reg. No. 37,548	Nicholson, Lea A.	Reg. Nn. P-48-34
Arora Suneci	Reg. No. 42.267	Jackson Huebsch, Kathurine A.	Reg. No. 47,670	Nielsen, Walter W.	Reg. No. 25,539
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Bianchi, Timothy E.	Reg. No. 39,610	Kalis, Janal M.	Rcg. No. 37,650	Parker, J. Kevin	Reg. No. 33,024
Billion, Richard E.	Reg. No. 32,836	Klima-Silberg, Catherine 1.	Reg. No. 40,052	Perdok, Monique M.	Reg. No. 42,989
Black, David W.	Rcg. No. 42.331	Kluth, Daniel J.	Reg. No. 32,146	Peret, Andrew R.	Reg. No. 41,246
Brennan, Leoniede M.	Reg. No. 35,832	Lacy, Rodney L.	Reg. No. 41,136	Peterson, David C.	Reg. No. 47,857
Brennan, Thomas F.	Reg. No. 35,075	Lemnire, Charles A.	Reg. No. 36,198	Prout, William F.	Reg. No. 33,995
Brooks, Edward J., III	Reg. No. 40,925	LeMoine, Dana B.	Reg. No. 40,062	Schumm, Sherry W.	Reg. No. 39,422
Chadwick, Robin A.	Rcg. No. 36.477	Lundberg, Steven W.	Reg. No. 30,568	Schwegmen, Micheal L.	Reg. No. 25,816
Clark, Barbara J.	Reg. No. 38,107	Maki, Peter C.	Reg. No. 42,832	Scott, John C.	Reg. No. 38,613
Clisc, Tirrothy B.	Reg. No. 40,957	Malen, Peter L.	Reg. No. 44,894	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Mates, Robert E.	Reg. No. 35,271	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	McCrackin, Ann M.	Rcg. No. 42,858	Stoffey, Charles E.	Rcg. No. 25,179
Embretson, Janet E.	Reg. No. 39,665	McTavish, Hugh 6.	Rcg. No. P-48.341	Stordal, Leif T.	Reg. No. 46.251
Forrest, Bradley A.	Reg. No. 30,837	Mebric, Joseph P.	Reg. No. 45,535	Terry, Kathleen R.	Reg. No. 31,884
Gamon, Owen J.	Rcg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 33,742	Tong, Viet V.	Reg. No. 45,416
Gortych, Joseph B.	Rcg. No. 41.791	Muller, Mark V.	Reg. No. 37,509	Viksnins, Ann S.	Reg. No. 37,748
Greaves, John N.	Rcg. No. 40.362	Nama, Kash	Reg. No. 44,255	Woessner, Warren D.	Reg. No. 30,440
Hanck, John L.	Reg. No. 36,154	Nelson, Albin J.	Reg. No. 28,650	Shudy, John G. Sr.	Reg. No. 31,214
Harris, Robert J.	Reg. No. 37,346	•	•	-	

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/ firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosu to be represented unless/until I instruct Honeywel] International Inc. and/or Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrar

Please direct all correspondence in this case to Honeywell International Inc. at the address indicated below:

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Citizenship:	United States of America	Residence: Plymouth, MN		
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	Jiandong Huang			
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Signature:		Date:		
:	Sejun Song			

SCHWEGMAN, LUNDBERG, WOES

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Attorney Docket No.: H16-26156 CIP1 (256.078US1)

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Serial No. 09/751.945

Filing Date: December 29, 2000

Page 3 of 5

2004/012

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint invent Citizenship: Post Office Address:	for number 3: <u>Tony John Kozlik</u> United States of America 2936 W. Morrow Drive Phoenix, AZ 85027	Residence: Phoenix, AZ	
Signature:	Tony John Kozlik	Date:	·
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Citizenship: Post Office Address:	United States of America 13014 N. 62nd Street Scottsdale, AZ 85254	Residence: Scottsdale, AZ	
Signature:	Ronald J. Freimark	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 5: <u>Jay W. Gustin</u> United States of America 6226 E. Joan De Arc Avenue Scottsdalc, AZ 85254	Residence: Scottsdale, AZ	
Signature:	Jay W. Gustin	Date:	
Full Name of joint invent Citizenship: Post Office Address:	United States of America 159 Blackberry Lane Carbon, PA 18229	Residence: Carbon, PA Tim Thouse	
Signature:	Christopher Lunemann	Date: <u>8/30/01</u>	

X Additional inventors are being named on separately numbered sheets, attached herero.

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Artorney Docket No.: H16-26156 CIP1 (256.078US1) Serial No. 09/751,945

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Filing Date: December 29, 2000

Page 4 of 5

Full Name of joint inven	tor number 7: Laurence Arthur Clawson		
Citizenship: Post Office Address:	United States of America 37620 North Hidden Valley Drive Cave Creek, AZ 85327	Residence: Cave Creek, AZ	
Signature:	Laurence Arthur Clawson	Date:	
Full Name of joint inven Citizenship: Post Office Address:	tor number 8: <u>John M. Dahl</u> United States of America 2236 Springbrook Court Grand Forks, ND 58201	Residence: Grand Forks, ND	_
Signature:	John M. Dahl	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Pull Name of inventor: Citizenship: Post Office Address:		Residence:	-
Signature:		Date:	

Attorney Docket No.: H16-26156 CIPI (256.078US1) Scriat No. 09/751,945 Filing Date: December 29, 2000 Page 5 of 5

- § 1.56 Duty to disclose information material to patentability.
- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancele or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancel or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) a 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associate with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.